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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 29 November 1994 from the Permanent Representative of the Republic of Indonesia to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights

With reference to my letter No. 1396/POL-342/94 dated 21 November 1994, I have the honour to provide you with further information on the presence of 29 East Timorese youths at the United States Embassy compound in Jakarta.

It is the wish of the Government of the Republic of Indonesia that the attached information be made available to the Commission on Human Rights at its fifty-first session in 1995 in its entirety.

(Signed) Soemadi D.M. Brotodiningrat
Ambassador

THE PRESENCE OF 29 EAST TIMORESE YOUTHS
AT THE UNITED STATES EMBASSY COMPOUND
IN JAKARTA, 12-22 NOVEMBER 1994

The 12-day sit-in by a group of 29 East Timorese youths at the United States Embassy compound in Jakarta ended when they departed aboard a Dutch KLM flight at 19.54 p.m. local time from Jakarta's Soekarno-Hatta International Airport on Thursday, 24 November 1994, heading for Portugal where they expect to be given political asylum. The youths left the Embassy premises at 17.15 p.m. in an Indonesian Red Cross bus escorted by an Indonesian Immigration Office car.

The East Timorese entered the United States Embassy premises by scaling the compound's fence on 12 November 1994 and refused to leave until their demands, namely to meet and present a petition to United States President William Jefferson Clinton and Secretary of State Warren M. Christopher, were accepted.

Of the 29 East Timorese youths, 4, namely Domingos Sarmento, Mario de Sousa Gama, Victor Tavares and Benigno Soares da Silva, are drop-out students whose scholarships were suspended by their respective universities in Surabaya and Denpasar, when they failed to pass the required minimum GPA. One member of the group, Louis Maria Lopez, was a prime suspect in a homicide case involving the stabbing to death of a man named Halibu in Tanah Abang, Jakarta. The rest were employees in several cities on Java.

On 20 November, one of them, Arlinto Freitas de Araujo Fernandez, fell ill and was taken to a local hospital for treatment but was later able to rejoin his group on 24 November to depart for Portugal which had offered them asylum ever since they began their sit-in at the United States Embassy. The youths, who originally refused the offer, finally decided to accept it on 22 November after their demands to meet President Bill Clinton, Secretary of State Warren M. Christopher, Ambassador Robert L. Barry and Foreign Minister Ali Alatas of Indonesia, and to free a jailed East Timor security disturbance group leader, Jose Alexandre "Xanana" Gusmao, were all rejected.

On the basis of its strong commitment to basic human rights and fundamental freedoms, the Government of Indonesia has consistently abided by its long-standing policy and permitted all of the youths, including Louis Maria Lopez allegedly involved in a murder case, to leave the country. Although Louis Maria Lopez is suspected to have been involved in the case, he has not been tried by a court so cannot be presumed guilty. In this connection, the Government in fact observed a presumption of innocence. Nevertheless, by the same token the Government has given assurances to the youths that no retribution will be sanctioned against them and that it will guarantee their safety should they wish to return home.

Contrary to reports and allegations by certain international mass media and NGOs, none of the 36 East Timorese youths who remained outside the United States Embassy while their 29 comrades got inside the Embassy compound were arrested by the police. Since the former had no money for food and accommodation, they were subsequently provided with food and drink and a bus to take them back to East Java where they reside.

The role of the ICRC was undeniably instrumental in arranging the departure of the 29 East Timorese youths in close cooperation with the Indonesian authorities. Beginning on Saturday, 19 November 1994, ICRC representatives met with the youths and ascertained that they wanted to go to Portugal. Following assurances from the Indonesian authorities, arrangements for the departure were finalized, as stated in ICRC Press Release No. 94/40 dated 24 November 1994.

In its statement issued on 25 November 1994, the United States Embassy in Jakarta expressed its appreciation to the Government of Indonesia for its cooperation and assistance in ending the 12-day sit-in by 29 East Timorese youths in the Embassy compound.

Following are the names of the 29 East Timorese youths:

1. Domingos Sarmento Alves
2. Mario de Sousa Gama
3. Ortensio Icotos Nebos Carvalho da Costa
4. Bonaparte Soares
5. Linio Belmiro Filomino Freitas
6. Benigno S. Soares
7. Zito Antonio de Jesus Soares
8. Anecleto Berto Pereira
9. Jorge Jose Conçalves de Jesus
10. Jose Fransisco dos Santos
11. Luis da Costa de Jesus
12. Cornelio da Costa
13. Angelo Eco Soares
14. Abrao Mariano Santos
15. Domingos Joao Quintano Tilman Soares
16. Carlos da Silva Lopes
17. Victor Tavares
18. Jorge Joao Lay
19. Arsento Falcao
20. Antonio Ramos da Silva
21. Helder Manuel Firez da Pidade
22. Arlindo Freitas de Araujo Fernandes
23. Lusiano Valentino da Conceicao
24. Ilio Manuel Carvalho Alin
25. Louis Maria Lopez
26. Angelo Minoti Soares
27. Calestino Dautel Sarmento
28. Jermano Fransisco Gomes
29. Boaventura Abilio Moreira.